

HB 1243 - DIGEST

(SEE ALSO PROPOSED 1ST SUB)

Finds that our health care and medical liability systems are not structured to promote disclosure and analysis of medical errors, whether they result in patient harm or not. Each medical error provides an opportunity to learn how to avoid future errors.

Declares an intent to promote full disclosure of medical errors and adverse health events, and to use the experience and knowledge gained from analysis of those events to advance patient safety in a nonpunitive manner.

Declares a further intent to promote full disclosure of medical errors to patients by substantially reducing the risk of liability exposure associated with such disclosure.

Requires the department to report no later than January 1, 2007, and annually thereafter to the governor and the legislature on the department's activities under this act in the preceding year. The report shall include: (1) The number of serious events and incidents reported by medical facilities on a geographical basis and their outcomes;

(2) The information derived from the data collected including any recognized trends concerning patient safety; and

(3) Recommendations for statutory or regulatory changes that may help improve patient safety in the state.

Requires the annual report to be made available for public inspection and shall be posted on the department's web site.

Provides that when a report of a serious event or incident under this act is made by or through a coordinated quality improvement program under RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW 4.24.250, the confidentiality protections of those laws and RCW 42.17.310(1)(hh) apply fully to any documents, materials, or information prepared or created for the purpose of complying with this act.

Provides that, when a report of a serious event or incident under this act is not made by or through a coordinated quality improvement program under RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW 4.24.250, any information, documents, and materials created specifically for the purpose of submitting a report of a serious event or incident are not subject to discovery or introduction into evidence in any civil action, and no person who participated in the creation, collection, or maintenance of information or documents specifically for the purpose of submitting a report of a serious event or incident shall be permitted or required to testify in any civil action as to the content of such documents.